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From: Ham-Policy Mailing List and Newsgroup <ham-policy@ucsd.edu>
Errors-To: Ham-Policy-Errors@UCSD.Edu
Reply-To: Ham-Policy@UCSD.Edu
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Subject: Ham-Policy Digest V93 #200
To: Ham-Policy

Ham-Policy Digest Sun, 20 Jun 93 Volume 93 : Issue 200

Today's Topics:

Blind VEs
NQOI Case: A Proposal for Action
NQOI Case : HF Vertical Antennas
Scanner laws -- KY and TN -- ??? (2 msgs)

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We trust that readers are intelligent enough to realize that all text
herein consists of personal comments and does not represent the official
policies or positions of any party. Your mileage may vary. So there.

Date: 20 Jun 1993 00:01:36 GMT
From: swrinde!cs.utexas.edu!asuvax!chnews!news@network.UCSD.EDU
Subject: Blind VEs
To: ham-policy@ucsd.edu

I previously post about FCC acceptance of blind VE's:

>>The problem will ultimately have to be worked. The amateur community
>>will have to prove to the FCC that alternative exam-giving means used
>>by whatever-impaired VE's do not degrade the integrity of the process.

In article <C8tvGD.Fzo@pacifier.rain.com>
mikef@pacifier.rain.com (Mike Freeman) replies:

>Wrong. As I've said before, it's up to the FCC to prove that
>blind VEs *impair* the process -- any other action bases decisions
>upon assumptions, not fact.

Me again, in real time:

I think we are forgetting who are the regulated (us) and who is the regulator (the FCC). If this had come up as an FCC citation given to a VEC, then, possibly, the FCC would have had to make a case (in front of itself - love these quasi-judicial whatchamacallits) and prove blind VE's incapable of giving an exam. However, what really happened is that we went out and screwed the pooch by asking them for a ruling. Once that was done, whatever they said became law. No proof required. And the only legal recourse is an appeal to the federal courts. Which is a much bigger and far more expensive pooch-screwing exercise.

The only alternative to this would be to work the problem through the back channels of the FCC and ask them to issue a "clarification" on their ruling. But that requires convincing quite a few people that they made a mistake. And one of the things that would make that argument compelling would be a "proof" that the integrity of the exam-giving process would not be compromised.

Mike Freeman again:

>... But (and I know many do not wish to read this in this
>forum) the stakes for the blind are far higher than just whether
>blind VEs will be allowed to do their stuff. There are blind
>education majors right now who are having teachers' certificates
>denied them because they cannot, in the opinion of those to whom
>they must apply, they cannot "Observe" the classroom. There
>have been several court cases on this subject -- we, the blind, have,
>in the end, won them all. If we let this precedent stand,
>it could jeopardize the gains made by blind teachers during the
>past few years. By the same token, FCC should take account of
>these court cases and their implications.

Me:

If you place it in that context, it does become a much bigger issue. I agree it is a very bad precedent and should not be allowed to stand. And, quite frankly, I was surprised that the FCC ruled this way, given the ongoing movement to make government activities accessible to people with physical impairments.

Mike:

>... But we must work together as equal partners -- the blind must
>not be required to prove *anything*...

Me:

I see it as amateur radio operators having to, once again, prove

something to *government*. And, unfortunately, as in the past, it will be the operators most affected by this who will carry most of the weight.

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Date: 19 Jun 1993 09:56:02 -0500
From: swrinde!cs.utexas.edu!geraldo.cc.utexas.edu!doc.cc.utexas.edu!not-for-mail@network.UCSD.EDU
Subject: NQOI Case: A Proposal for Action
To: ham-policy@ucsd.edu

I don't see anyone on here disagreeing that NQOI got the old mast (since we're talking about antennas here) in this case. It appears that the law was manipulated to the convenience of "the opposition." So let's start from there, and ask ourselves what (if anything) we're going to do about this.

Doing nothing goes against the grain because as Americans we have an almost instinctive revulsion to sitting back and letting events happen to us. Rather we like it when we can make those events happen ourselves. That gives us more control

Someone mentioned that we're a minority in the larger community and so we are. Now I'm not suggesting that we have an MLK-style march on Washington, but I *am* suggesting that we use every weapon at our disposal to create an operating atmosphere that's comfortable for both ourselves and our neighbors who aren't into amateur radio.

The reason is because chances are if you can afford a nice tower and big Yagis or moonbounce arrays, you've probably already bought a house, and are having the "property value paulsy," just like every other homeowner. But at the same time you want to put up the sort of antenna system you want to put up, since it's a fact that people want what they want when they want it.

So what's wrong with national legislation that would permit antenna installations in residential areas as long as the antennas and their supporting structures had adequate safeguards against falling over on someone?

Now I saw a post by someone that said that legislation like this would involve breaking private contracts. Why? Especially if it were applied to *new*

home sales and construction. If it were, that would merely mean that such private contracts could no longer be made. Consider this. Can I enter into a legally binding agreement to have someone killed? Of course not. Murder itself is illegal, therefore no contract that I negotiate with anyone on that basis can be legally binding and therefore is null and void.

Now I realize that putting out a contract on someone isn't the same as putting up a good antenna system. But the basis in law ***can*** be similar if there's legislation in place to make it so.

And don't be too quick to poo-poo the various people that I've talked about who would have a vested interest in relaxed antenna restrictions. If you think about ***everyone*** who could make more money out of such a situation, and everyone who stands to ***lose*** money by ***increased*** restrictions, you're talking about a good deal of money and ***lots*** of enterprises. Getting all these folks together in the form of a coalition for political action just requires organization.

So what about esthetics? That (and EMI) seem to be what the fuss is all about in this whole thing. Fine. We just change people's ideas of esthetics. Now I know that the above seems like a pretty outrageous statement, but it ***can*** be done. Why do you drive the car you do? Why do you wear what you consider are stylish clothing? For that matter why did you buy the house you did? Probably because advertising and PR shaped the popular attitude that those things were esthetically pleasing, and therefore they are!

Need another example? Try this. Years ago home entertainment equipment (i.e. TV's, stereos, etc.) were all encased in nice wood cabinets with the quality of fine furniture. Are they today? No. In fact one's social status appears to have a correlation with how many boxes one has in one's living room that have buttons, knobs and displays all over them. Nowardays techno = prestige.

If you identify antennas the same way, and throw in things like public service and good old patriotism, you get what could be considered a ***good*** image for antennas and amateurs at the same time. Ridiculous? Think about all the successful advertising and PR campaigns of the past and ask yourself how ridiculous the concept really is.

Yes, a simple political push to relax ***all*** antenna restrictions might fall flat on its face for several reasons. But create legislation that would step on fewer toes, get everyone you can think of to back it and you'd stand a better chance of success.

And who knows? The simultanious PR campaign ***might*** work so well that ***some*** neighborhoods might even ***welcome*** big antenna installations as a symbol of increased SES (Social Economic Status). And that statement really isn't too far fetched when you think of how ***really*** easy it is to sell some things.

So what's the end result if we do nothing? Pardon me for sounding alarmist here, but think of this scenario. Antenna restrictions get worse and worse until the only thing we as amateurs can do is to have either indoor antennas or outside ones that are built low to the ground. In order to the the sort of gain we're used to we raise our output power. That causes more EMI, and then before we know it we're spending money fighting court battles over whether we can operate at ***all***. I see this sort of thing happening if the NQOI case's outcome becomes the first of many.

So let's do something about it now. People like me (who make \$5.02 an hour) might not be able to throw \$1K in on the effort, but we can make phone calls and write letters. If we ***do*** decide to act, the FIRST place we'll have to excersise successful PR is going to be in our own ranks.

Sheesh but these articles have been getting long! If you've read this far then you deserve the Red-Eye award for sure. B-)

73 to All!

--
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(GeNie) D.MILNER | * Moo! * | (Internet) aggedor@ccwf.cc.utexas.edu
Austin, Tx. U.S.A. | ***** | I know who I am, and I will ***NEVER*** go back!
**** Illegitimus Non Carborundom Est!** (Don't let the bastards get you down!) **

Date: 18 Jun 93 19:55:22 GMT
From: usc!howland.reston.ans.net!ux1.cso.uiuc.edu!uwm.edu!linac!att!att!bigtop!
drutx!druwa!n2ic@network.UCSD.EDU
Subject: NQOI Case : HF Vertical Antennas
To: ham-policy@ucsd.edu

Yes, indeed, ideal verticals, over an excellent ground (i.e. sea water), with no obstructions, can perform well.

Now, let's look at suburbia. You set up your phased verticals in the backyard of your 1/4 acre palace. Your verticals are no more than 30 feet from your aluminum sided house, and 10 feet from a 4 foot high chain link fence. What will that do to your low-angle radiation ? Since each of your verticals presents a different impedance, due to the presence of objects in the near field, how are you going to achieve the phase relationships needed for your array ? How are you going to improve your ground system without burying a zillion radials in your backyard, AS WELL AS YOUR NEIGHBORS BACKYARD ?

Let's not fool ourselves, an EFFECTIVE vertical array is NOT a limited space,

low impact antenna. A 3 element tribander at 50 feet is going to beat the pants off of any ground-mounted vertical array you can put down in suburbia.

Steve, N2IC/0

Date: Sat, 19 Jun 1993 23:28:00 GMT
From: swrinde!emory!athena!aisun4.ai.uga.edu!mcovingt@network.UCSD.EDU
Subject: Scanner laws -- KY and TN -- ???
To: ham-policy@ucsd.edu

Help! I'm about to drive through Tennessee and Kentucky and have been told they have laws against scanning receivers in cars. Are licensed hams exempt? Can anybody supply the details?

--
:- Michael A. Covington, Associate Research Scientist : *****
:- Artificial Intelligence Programs mcovingt@ai.uga.edu : *****
:- The University of Georgia phone 706 542-0358 : * * *
:- Athens, Georgia 30602-7415 U.S.A. amateur radio N4TMI : ** *** ** <><

Date: Sun, 20 Jun 93 02:51:09 GMT
From: walter!porthos!dancer!whs70@uunet.uu.net
Subject: Scanner laws -- KY and TN -- ???
To: ham-policy@ucsd.edu

In article <C8w6Io.74s@athena.cs.uga.edu> mcovingt@aisun4.ai.uga.edu (Michael Covington) writes:
>Help! I'm about to drive through Tennessee and Kentucky and have been
>told they have laws against scanning receivers in cars. Are licensed
>hams exempt? Can anybody supply the details?
>:- Michael A. Covington, Associate Research Scientist : *****

The few states that do have scanner laws (in cars) all have ham exemptions. Kentucky was the last such state to add the ham exemption.

Standard Disclaimer- Any opinions, etc. are mine and NOT my employer's.

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End of Ham-Policy Digest V93 #200
